

## REQUEST FOR COUNCIL ACTION

MEETING

DATE: 04-07-03

129-

|   |                               |   |
|---|-------------------------------|---|
| AGENDA SECTION:<br>PUBLIC HEARINGS  | ORIGINATING DEPT:<br>PLANNING | ITEM NO.<br>E-3                             |
| ITEM DESCRIPTION: General Development Plan # 205 by Arcon Development, Inc. to be known as Hart Farm South. The Applicant is proposing to develop approximately 80 acres of land located along the north side of 40 <sup>th</sup> Street SW and along the west side of 18 <sup>th</sup> Avenue SW with single family homes, townhomes and neighborhood commercial uses. The property is proposed to be served by public roads. An Annexation petition for the entire property, and a Zoning District Amendment for a portion of this property are being considered concurrent with this petition. |                               | PREPARED BY:<br>Theresa Fogarty,<br>Planner |

April 3, 2003

*Please Note: The applicant submitted a revised General Development Plan, therefore, staff is recommending Conditions 1- c & 1-d listed in the General Development Staff report, be deleted. Text to be deleted will be shown as ~~stikeout-text~~. Conditions 1-a & 1-b are being discussed with staff and will be addressed during the platting process.*

### City Planning and Zoning Commission Recommendation:

On March 12, 2003, the City Planning and Zoning Commission reviewed this General Development Plan.

Mr. Larry Frank of Arcon Development, addressed the Commission and stated he is agreement with the staff-recommended conditions. Mr. Arcon also explained that development would not occur on the property for at least one year.

The Commission reviewed this proposal according to the criteria listed in Paragraph 61.215 of the Zoning Ordinance and Land Development Manual.

Mr. Burke moved to recommend approval of General Development Plan #205 by Arcon Development, Inc. , to be known as Hart Farm South, with staff-suggested findings and conditions. Mr. Quinn seconded the motion. The motion carried 8-0.

### Conditions:

1. The GDP shall be revised, prior to the Council meeting to include:

- a) Dedication of a 60' ROW along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.
- b) Dedication of the 60' ROW shall include sufficient area to construct the required pedestrian facilities within the right-of-way. Identify and label the required 10' wide pedestrian facilities within the right-of-way along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.
- c) ~~The proposed public street intersection with 40<sup>th</sup> Street SW, at the westerly edge of proposed Phase 3, shall be revised to align across from Windsor Hills Lane SW.~~
- d) ~~Increase the size of the park by 4.0 acres.~~

2. The property shall be platted. At the time of platting, the following shall be included:

- a) Dedication of controlled access along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW, with the exception of the public roadway locations approved through the GDP process.

COUNCIL ACTION: Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

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- b) *Pedestrian facilities are required, at the Owner's expense, along both sides of all new public roads within this development. In addition, the Owner is obligated to provide a 10' foot bituminous pedestrian path along the entire westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.*
  - c) *It appears that several of the blocks located within Phase 2 may exceed 800' in length, thereby requiring additional mid-block connections. Staff will address the need for additional mid-block pedestrian connections. The Owner shall be required to dedicate any mid-block pedestrian connections on separate Outlots and construct the required pedestrian path connections with the Outlots.*
  - d) *Grading and Drainage Plan approval is required prior to development. The GDP narrative and GDP plan indicate that on-site detention facilities shall be constructed to serve the development. These private detention facilities shall be platted as Outlots and the execution of an Ownership & Maintenance Agreement shall be required. The future property line grading abutting 40<sup>th</sup> Street SW and street elevations intersecting 40<sup>th</sup> Street SW must match the future 40<sup>th</sup> Street SW profile, as determined by the Rochester Public Utilities – Water Division.*
  - e) *The Developer will need to work with the County and City Public Works Department to identify final design improvements, as discussed in the Traffic Impact Review Memorandum from Charles Reiter, Senior Transportation Planner, dated March 6, 2003.*
3. *Prior to Final Plat submittal, and/or development of this Property, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, stormwater management, transportation improvements including right & left turn lanes, the proposed street intersection with 40<sup>th</sup> Street SW, access control, pedestrian facilities, right-of-way dedication, contributions for public infrastructure, extension of public utilities abutting properties, and stipulation for phasing of development subject to the availability of adequate public facilities.*
  4. *Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated February 20, 2003.*

**Planning Staff Recommendation:**

See attached staff report dated March 7, 2003.

**Council Action Needed:**

1. The Council may approve, approve with conditions, or deny the general development plan. The Council must make findings based on the criteria listed in Paragraph 61.215.
2. If the Council wishes to proceed with the general development plan as proposed, it should instruct the City Attorney to prepare a resolution for Council approval.

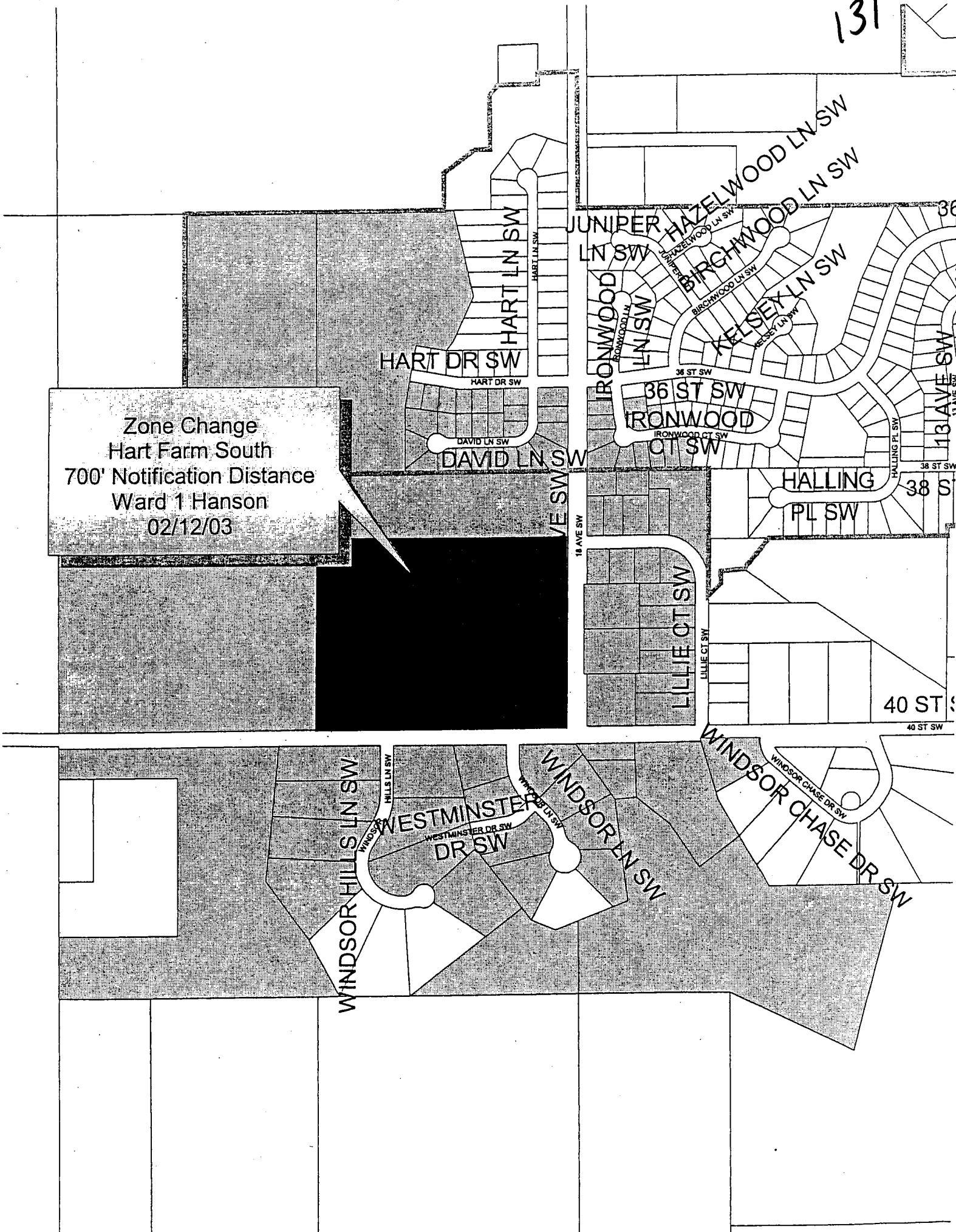
**Attachments:**

1. Staff Report dated March 7, 2003.
2. Copy minutes of March 12, 2003 CPZC Meeting.
3. Copy of Revised General Development Plan

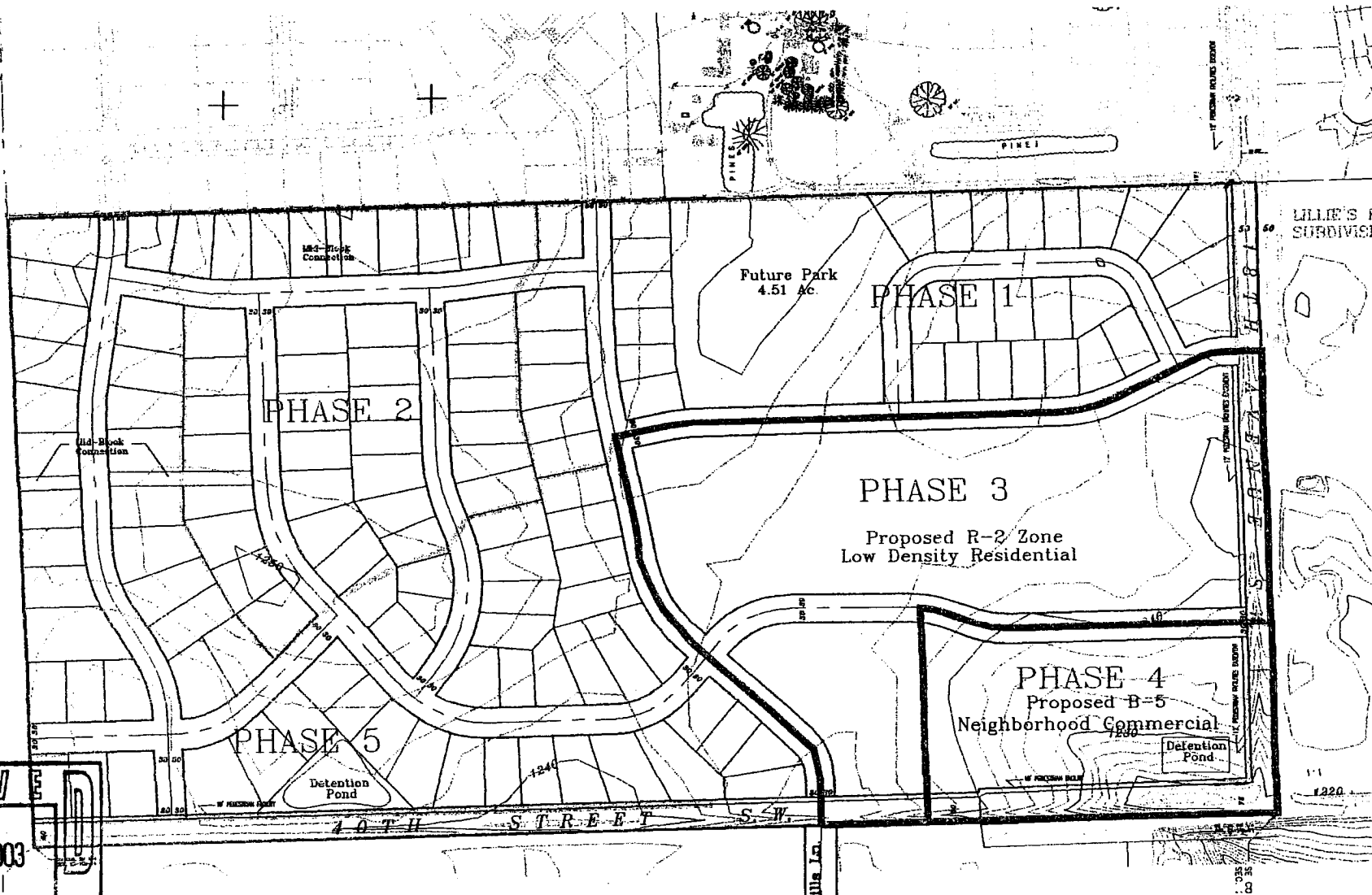
**Distribution:**

1. City Clerk
2. City Administrator
3. City Attorney
4. Planning Department File
6. McGhie & Betts, Inc.
5. Applicant: This item will be considered some time after 7:00 p.m. on Monday, April 7, 2003 in the Council / Board Chambers in the Government Center at 151 4th Street SE.

Zone Change  
Hart Farm South  
700' Notification Distance  
Ward 1 Hanson  
02/12/03



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**RECEIVED**  
**APR - 3 2003**  
 ROCHESTER OLIVESTED  
 PLANNING DEPARTMENT

**REVISED**

North  
 Scale 1"=100'

| No. | Description | Date |
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Land Surveying  
 Urban-Land Planning  
 Consulting - Civil  
 Engineering  
 1444 1st Ave. S.E.  
 Rochester, MN 55904



Geotechnical Engineering  
 Consulting - Planning  
 Landscape Architecture  
 1444 1st Ave. S.E.  
 Rochester, MN 55904

ARCUM DEVELOPMENT, INC.  
 7825 METRO BLVD.  
 EDINA, MN 55438  
 Designed By: JES  
 Drawn By: JES  
 Checked By: JES  
 Scale: 1" = 100' Cont. No. 1204/3048  
 Date: 04-03-03 File No.

**REVISED**  
**GENERAL DEVELOPMENT PLAN**  
 HART FARM SOUTH

R C & A  
HART FARMS' PROPERTY

MAYWOOD ENTERPRISES LTD

ANNEXATION LIMITS

INDEPENDENTS

PARK  
EAST ACRES

GREYSTONE

BAMBER RIDGE

18th AVENUE S.E. (COUNTY ROAD 147)

LINK 1  
SUBDIVISION

PHASE 1

PHASE 3

Proposed B-2 Zone  
Low Density Residential

PHASE 4  
Proposed B-6  
Neighborhood Commercial

PHASE 5

PHASE 2

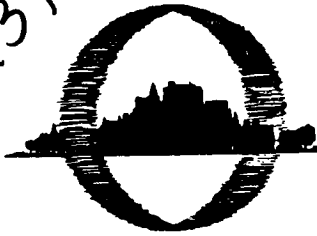
R

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**ROCHESTER-OLMSTED PLANNING DEPARTMENT**

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744



COUNTY OF  
*Olmsted*



**TO: City Planning and Zoning Commission**

**FROM: Theresa Fogarty, Planner**

**DATE: March 7, 2003**

**RE: General Development Plan #205 by Arcon Development, Inc., to be known as Hart Farm South. The Applicant is proposing to develop approximately 80 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Avenue SW with single family homes, townhomes and neighborhood commercial uses. The property is proposed to be served by public roads. An Annexation petition for the entire property, and a Zoning District Amendment for a portion of this property are being considered concurrent with this petition.**

**Planning Department Review:**

**Applicant/Owner:**

Arcon Development, Inc.  
7625 Metro Boulevard, #350  
Edina, MN 55439

**Consultants:**

McGhie & Betts, Inc.  
1648 Third Ave. SE  
Rochester, MN 55904

**Size and Location:**

The area includes approximately 80 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Avenue SW.

**Existing Land Use:**

This property is currently a vacant farm land.

**Proposed Use:**

The Plan proposes to develop approximately 80 acres into a single family residential development, townhomes (18.62 acres) and neighborhood commercial uses (6.73 acres). The development proposes several public roadways and a 3.02 acre public park in the north central portion of the property.

**Land Use Plan:**

This property is located within the boundaries of the Rochester Urban Service Area Land Use Plan. The land use designation for this area is "low density residential" use.



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**Zoning:**

The City Council will consider an annexation of 59.99 acres for this property at their April 7, 2003 meeting. Upon approval for this annexation, the property will be zoned R-1 (Mixed Single Family Residential) district.

A Zoning District Amendment request will be considered concurrently with this annexation petition. The applicant has petitioned to amend the zoning district on 18.62 acres to R-2 (Low Density Residential) and 6.73 acres to B-5 (Residential Commercial) District.

**Roadways:**

The GDP proposes one 60' roadway access to 18<sup>th</sup> Avenue SW and two 60' public roadway accesses to 40<sup>th</sup> Street SW. The Plan proposes a total of nine new roadways.

A Traffic Impact Review has been completed by the Planning Department – Transportation Division. A Review of the Key Traffic Issues provided the following results:

1. The southerly access of the development with 18<sup>th</sup> Avenue SW should have provisions for both a southbound right turn lane and a northbound left turn lane. Because of the proximity of this access point to the intersection of 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW construction of a northbound left turn lane will likely necessitate construction of a 3<sup>rd</sup> lane from 40<sup>th</sup> Street SW to the access point to provide the left turn lane.

2. At the easterly access on 40<sup>th</sup> Street SW a provision for a westbound right turn lane and an eastbound left turn lane should be planned. As part of the work proposed with the TH 63 South improvements, 40<sup>th</sup> Street SW is planned for upgrading to 4 lanes from TH 63 to 18<sup>th</sup> Avenue SW, tapering back to 2 lanes west of 18<sup>th</sup> Avenue. The taper section on the north side of the roadway should be extended to this access point to function as the right turn lane.

3. At the westerly access on 40<sup>th</sup> Street SW a right turn lane and a bypass lane should be considered based on projected volumes and speed of travel.

**In summary:**

- the developer will need to work with the County and City Public Works Department to identify final design improvements at the access points along 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW, as discussed as this project proceeds into the platting stage.

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**Roadways (Continued):**

- Provisions for future bicycle facilities should be made along both 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW.
- Access control shall be established, at the time of platting, along 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street frontages with the exception of the public roadway locations, approved through the GDP process..

Dedication of 60' of right-of-way is required for 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW and shall include sufficient area to construct the required pedestrian facilities within the right-of-way.

The future property line grading abutting, and street elevations intersecting 40<sup>th</sup> Street SW must match the future 40<sup>th</sup> Street SW profile, as determined by the City and the proposed public street intersection with 40<sup>th</sup> Street SW, at the westerly edge of proposed Phase 3, shall be revised to align across from Windsor Hills Lane SW.

**Pedestrian Facilities:**

Pedestrian facilities are required, at the Owner's expense, along both sides of all new public roads within this development. In addition, the Owner is obligated to provide a 10 foot wide bituminous pedestrian path along the entire westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.

During the platting process, the Owner shall be required to dedicate any mid-block pedestrian connections on separate Outlots and construct the required pedestrian path connections within the Outlots.

It appears that several of the blocks located within Phase 2 may exceed 800' in length, thereby requiring additional mid-block pedestrian connections. At the time of platting, staff will address the need for additional mid-block pedestrian connections.

**Drainage:**

The General Development Plan narrative specifies surface drainage from the property draining from the center of the property to the north and to the south. The GDP has indicated two storm water ponds that are intended to capture the run-off from the southern half of the site. The northern half of the site will drain towards the existing Hart Farm Subdivision and will be collected in the existing storm pond located within that subdivision.



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**Drainage (Continued):**

Grading and Drainage Plan approval is required prior to development. The GDP narrative and GDP plan indicate that on-site detention facilities shall be constructed to serve the development. These private detention facilities shall be platted as Outlots, and the execution of an Ownership & Maintenance Agreement will be required.

**Wetlands:**

Minnesota Statutes now require that all developments be reviewed for the presence of wetlands or hydric soils. According to the Soils Survey, hydric soils do not exist on this property.

**Public Utilities:**

Static water pressures within this area will range from the upper 40's to lower 60' PSI depending on final grades.

**Parkland Dedication:**

Based on preliminary information, the dedication for the 80 acre development is estimated to be 7.0 acres. Actual calculations shall occur as the site plans for the R-2 zoning property is submitted. Most of the dedication required for this development should be in the form of land.

The general location of the 3.02 acre park is excellent. The size of the park should be increased by 4.0 acres to a total of 7 acres.

**Environmental Review:**

Since the development is conveying approximately 80 acres an EAW is required for this development.

**Referral Comments:**

1. Rochester Public Works
2. Rochester Park & Recreation
3. RPU Water Division
4. Olmsted County Public Works
5. Rochester Fire Department
6. Rochester Building Safety Department
7. MN Department of Transportation
8. Planning Department – Transportation staff, Traffic Impact Review

**Report Attachments:**

1. Reduced Copy of General Development Plan
2. Reduced Copy of General Development Plan for the entirety of Hart Farm Developments.
3. Location Map
4. Referral Comments (8)
5. Proposed General Development Plan Narrative

**Summary:**

This GDP includes approximately 80 acres of land for development of R-1 single family residential, R-2 townhomes (18.62 acres) and B-5 residential commercial (6.73 acres). Several public roads are proposed to serve this development. The GDP also proposes to dedicate 3.02 acres of parkland located in the north central portion of this development and three 30' wide mid-block connections. Phasing will begin with Phase 1 in the northeastern portion of the GDP, and ending with Phase 5 in the southwest portion of the GDP.

**Staff Suggested Findings and Recommendation:**

Paragraph 61.215 of the Rochester Zoning Ordinance and Land Development Manual lists the criteria for approval of a general development plan (see attached section from the newly adopted regulations, which became effective May 15, 1999).

- Criteria A. The proposed land uses are generally in accord with the adopted Comprehensive Plan and zoning map, or that the means for reconciling any differences have been addressed. A GDP may be processed simultaneously with a rezoning or plan amendment request.

***This GDP proposes residential development, within the R-1 (Mixed Single Family Residential), R-2 (Low Density Residential) and B-5 (Residential Commercial) zoning districts. This is consistent with the "low density residential" land use designation for the property.***

- Criteria B. The proposed development, including its lot sizes, density, access and circulation are compatible with the existing and/or permissible future use of adjacent property.

***The density and lot sizes for the development appear consistent with the Land Use Plan and the future rezoning of the property once the annexation is approved by the MN Planning / Office of Strategic Long Range Planning.***

***The proposed vehicular systems and mid-block connections provide for the connection to adjacent properties.***

***It appears that several of the blocks located within Phase 2 may exceed 800' in length, thereby requiring additional mid-block pedestrian connections. At the time of platting, staff will address the need for additional mid-block pedestrian connections.***

- Criteria C. The mix of housing is consistent with adopted Land Use and Housing Plans.

***The development density is consistent with a Low Density Residential land use designation of the Land Use Plan. The GDP is consistent with the Housing Plan and the standards for the physical and social environments of residential neighborhoods.***

- Criteria D. The proposed plan makes provisions for planned capital improvements and streets reflected in the City of Rochester's current 6-Year Capital Improvement Program, adopted Thoroughfare Plan, the ROCOG Long-Range Transportation Plan, Official Maps, and any other public facilities plans adopted by the City. Street system improvements required to accommodate proposed land uses and projected background traffic are compatible with the existing uses and uses shown in the adopted Land Use Plan the subject and adjacent properties.

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***In order to be consistent with the Long Range Bicycle Facility Plan , accommodations are needed for a 10' wide bituminous path within the westerly ROW of 18<sup>th</sup> Avenue SW and northerly ROW of 40<sup>th</sup> Street SW. The GDP will need to be revised to show the dedication of 60' of ROW for 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW. Dedication of 60' of ROW for 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW will include sufficient area to construct the required pedestrian facilities within the ROW.***

***Right turn lanes and by-pass lanes will be required at the public roadway entrances from 40<sup>th</sup> Street SW and 18<sup>th</sup> Avenue SW.***

Criteria E. On and off-site public facilities are adequate, or will be adequate if the development is phased in, to serve the properties under consideration and will provide access to adjoining land in a manner that will allow development of those adjoining lands in accord with this ordinance.

1. Street system adequacy shall be based on the street system's ability to safely accommodate trips from existing and planned land uses on the existing and proposed street system without creating safety hazards, generating auto stacking that blocks driveways or intersections, or disrupting traffic flow on any street, as identified in the traffic impact report, if required by Section 61.523(C). Capacity from improvements in the first 3 years of the 6-year CIP shall be included in the assessment of adequacy.

***In order to be consistent with the Long Range Bicycle Facility Plan , accommodations are needed for a 10' wide bituminous path within the westerly ROW of 18<sup>th</sup> Avenue SW and northerly ROW of 40<sup>th</sup> Street SW. The GDP will need to be revised to show the dedication of 60' of ROW for 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW. Dedication of 60' of ROW for 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW will include sufficient area to construct the required pedestrian facilities within the ROW.***

***The future property line grading abutting, and street elevations intersecting 40<sup>th</sup> Street SW must match the future 40<sup>th</sup> Street SW profile, as determined by the City. In addition, The proposed public street intersection with 40<sup>th</sup> Street SW, at the westerly edge of proposed Phase 3, shall be revised to align across fro Windsor Hills Lane SW.***

2. Utilities are now available to directly serve the area of the proposed land use, or that the City of Rochester is planning for the extension of utilities to serve the area of the proposed development and such utilities are in the first three years of the City's current 6-Year Capital Improvements Program, or that other arrangements (contractual, development agreement, performance bond, etc.) have been made to ensure that adequate utilities will be available concurrently with development. If needed utilities will not be available concurrent with the proposed development, the applicant for the development approval shall stipulate to a condition that no development will occur and no further development permit will be issued until concurrency has been evidenced.

***Water and sewer will need to be extended to serve this development and will need to be extended through the sites as the property develops.***

3. The adequacy of other public facilities shall be based on the level of service standards in Section 64.130 and the proposed phasing plan for development.

***Detailed construction plans will need to be approved for all infrastructure improvements.***

***A 10' wide bituminous path will be required within the westerly ROW of 18<sup>th</sup> Avenue SW and the northerly ROW of 40<sup>th</sup> Street SW.***

***The general location of the 3.02 acre park is excellent. The size of the park should be increased by 4.0 acres to a total of 7 acres.***

- Criteria F. The drainage, erosion, and construction in the area can be handled through normal engineering and construction practices, or that, at the time of land subdivision, a more detailed investigation of these matters will be provided to solve unusual problems that have been identified.

***Storm Water Management must be provided for this development. The GDP plan indicates on-site detention facilities will be constructed to serve this development.***

***Detailed grading and drainage plans will need to be submitted to the City for review and approval prior to the submittal of final plats for the property.***

***Detailed construction plans will need to be approved for all infrastructure improvements.***

- Criteria G. The lot, block, and street layout for all development and the lot density for residential development are consistent with the subdivision design standards contained in Section 64.100 and compatible with existing and planned development of adjacent parcels.

***The lot, block layout and lot density for the development appear to be consistent with the Subdivision Design Standards. Specific lot and block layouts will be reviewed at the time the property is platted. The proposed densities are compatible with existing and planned development of other parcels in the area.***

### **Recommendation:**

Based on the above criteria, staff would recommend that the following conditions should be imposed in order to assure compliance with the Rochester Zoning Ordinance and Land Development Manual:

1. ***The GDP shall be revised, prior to the Council meeting to include:***

- a) ***Dedication of a 60' ROW along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.***
- b) ***Dedication of the 60' ROW shall include sufficient area to construct the required pedestrian facilities within the right-of-way. Identify and label the required 10' wide pedestrian facilities within the right-of-way along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.***

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- c) *The proposed public street intersection with 40<sup>th</sup> Street SW, at the westerly edge of proposed Phase 3, shall be revised to align across from Windsor Hills Lane SW.*
- d) *Increase the size of the park by 4.0 acres.*
- 2. *The property shall be platted. At the time of platting, the following shall be included:*
  - a) *Dedication of controlled access along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW, with the exception of the public roadway locations approved through the GDP process.*
  - b) *Pedestrian facilities are required, at the Owner's expense, along both sides of all new public roads within this development. In addition, the Owner is obligated to provide a 10' foot bituminous pedestrian path along the entire westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.*
  - c) *It appears that several of the blocks located within Phase 2 may exceed 800' in length, thereby requiring additional mid-block connections. Staff will address the need for additional mid-block pedestrian connections. The Owner shall be required to dedicate any mid-block pedestrian connections on separate Outlots and construct the required pedestrian path connections with the Outlots.*
  - d) *Grading and Drainage Plan approval is required prior to development. The GDP narrative and GDP plan indicate that on-site detention facilities shall be constructed to serve the development. These private detention facilities shall be platted as Outlots and the execution of an Ownership & Maintenance Agreement shall be required. The future property line grading abutting 40<sup>th</sup> Street SW and street elevations intersecting 40<sup>th</sup> Street SW must match the future 40<sup>th</sup> Street SW profile, as determined by the Rochester Public Utilities – Water Division.*
  - e) *The Developer will need to work with the County and City Public Works Department to identify final design improvements, as discussed in the Traffic Impact Review Memorandum from Charles Reiter, Senior Transportation Planner, dated March 6, 2003.*
- 3. *Prior to Final Plat submittal, and/or development of this Property, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, stormwater management, transportation improvements including right & left turn lanes, the proposed street intersection with 40<sup>th</sup> Street SW, access control, pedestrian facilities, right-of-way dedication, contributions for public infrastructure, extension of public utilities abutting properties, and stipulation for phasing of development subject to the availability of adequate public facilities.*
- 4. *Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated February 20, 2003.*

NOTE:

- *Prior to development, the property owner will need to execute a City Owner Contract for construction of the public roadways and utilities.*

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## HART FARM SOUTH GENERAL DEVELOPMENT PLAN

The Hart Farm South General Development Plan is approximately 80 acres bounded by Hart Farm subdivision to the north, unplatted farmland to the west, Bamber Ridge and Lilies subdivisions to the east, and the Winsor Ridge subdivision to the south.

The following is a written summary of the General Development Plan (GDP) in accordance with Appendix B E-3.

- a) *Topographic or soils conditions which, in the estimation of the applicant, may create potential problems in street, drainage, public utilities or building design and construction, and how these problems will be investigated further or engineered to overcome the limitations.*

The 80-acre Hart farm parcel is a bedrock-controlled landscape, partially dissected with swale drainageways. The relief difference from the lowest part of the swale to the summit has an elevation range of 1140 to 1250 feet above sea level. The upper most rocks are those of the Galena formation. The confining Decorah shale is below these elevations. Most of this landscape on this SITE is mantled with 2 to 4 feet thick loess deposits over this limestone rock formation and are mapped as the (489) Atkinson, (299) Rockton and (340) Whalan soils. In its north eastern part, is an area of (401) Mt. Carroll soils, where the loess is as much as 10 feet thick. Slope of all of the soils range from 2 to 12% and they are on the landscape summits and the adjoining upper side slopes.

All of these soils are well drained and have moderate permeability's. Rate of surface runoff is considered as moderate. They have medium to high levels of phosphorous, are low in content of nitrogen and potassium. They are also considered as being erosive, particularly on the side slope settings and do require both vegetative and mulch cover to control erosion particularly during any spring rainy period. There are no wetlands or related hydric soils observed on this SITE.

- b) *Storm drainage problems, which in the estimation of the applicant, may result in costs that will exceed normal storm drainage costs.*

The storm drainage does not appear to cause problems that will result in the increase of normal storm drainage costs.

Two storm ponds are planned along the southern edge of the site, which will accommodate the proposed increase of storm water runoff from roughly the center of the site to the south. The area included in the proposed storm ponds will include some single family residential, and the R-2 townhome and neighborhood commercial uses.

The northern area of the site including the single-family lots and the proposed park will drain towards the existing storm water pond in the Hart Farm Subdivision.

c) *Identification of potential off-site drainage problems.*

The surface drainage from the property drains from the center of the property to the north and to the south. The GDP has indicated two storm water ponds that are intended to capture the run-off from the southern half of the site. The northern half of the site will drain towards the existing Hart Farm Subdivision and will be collected in the existing storm pond located within that subdivision. There should be no problems with off-site drainage created by this development.

d) *Availability of utilities to serve the area under consideration.*

City water and sanitary sewer will be stubbed out from the Hart Farm Subdivision in the eastern most north/south public street. These utilities will be able to provide adequate services for the entire General Development Plan area.

e) *Identification of possible erosion problems, which may arise in the estimation of the applicant.*

Approximately 73 acres of the site including the single family, townhome and proposed park have a very gentle slope. The southeastern corner of the property indicated as neighborhood commercial has roughly 10 percent slope along the intersection of 40<sup>th</sup> Street S.W. and 18<sup>th</sup> Avenue S.W. Where development encroaches into the steeper slopes, erosion control measures will be incorporated into the grading plan final design.

f) *A general statement as to the possible phasing of any development activity to occur on the property under the control of the applicant.*

The first phase of the development will be in the northeastern portion of this GDP, developing approximately 40 single-family lots. The second phase will continue the development of single-family homes to the west of Phase 1. Phases 3 and 4 will be developed after the proposed improvement for 40<sup>th</sup> Street S.W are completed. Phase 5 will complete the single-family development for the GDP.

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# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 2/28/03

The Department of Public Works has reviewed the application for General Development Plan #205 for the proposed Hart Farm South development. The following are Public Works comments on this request:

1. Prior to Final Plat submittal, and/or development of this Property, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, stormwater management, transportation improvements including right & left turn-lanes at the proposed street intersections with 40<sup>th</sup> St SW, access control, pedestrian facilities, right-of-way dedication, contributions for public infrastructure, extension of public utilities to abutting properties, and stipulations for phasing of development subject to the availability of adequate public facilities.
2. Grading & Drainage Plan approval is required prior to development. The GDP narrative and GDP plan indicate that on-site detention facilities will be constructed to serve this development. These private detention facilities shall be platted on Outlots, and the execution of an Ownership & Maintenance Agreement will be required.
3. Pedestrian facilities are required at the Owner's expense along both sides of all new public roads within this development. In addition, the Owner is obligated for providing a 10 foot wide bituminous pedestrian path along the entire frontage of 18<sup>th</sup> Ave SW, and 40<sup>th</sup> St SW.
4. The Owner will be required to dedicate any required mid-block pedestrian connections on separate Outlots, and construct the required pedestrian path connections within the Outlots.
5. Dedication of 60 feet of ROW is required for 18<sup>th</sup> Ave SW & 40<sup>th</sup> St SW, and will include sufficient area to construct the required pedestrian facilities within the ROW.
6. Dedication of controlled access will be required through the platting process for the entire frontage of 18<sup>th</sup> Ave SW, and 40<sup>th</sup> St SW, with the exception of the public road access locations approved through the GDP process.
7. Execution of a City-Owner Contract will be required prior to construction of any public infrastructure to serve this property.
8. The future property line grading abutting, and street elevations intersecting 40<sup>th</sup> St SW must match the future 40<sup>th</sup> St SW profile as determined by the City.
9. The proposed public street intersection with 40<sup>th</sup> St SW, at the westerly edge of proposed Phase 3, shall be revised to align across from Windsor Hills Ln SW.



# ROCHESTER

— Minnesota —

TO: Consolidated Planning Department  
2122 Campus Drive SE  
Rochester, MN 55904

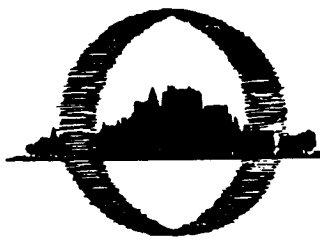
145  
DEPARTMENT OF PUBLIC  
WORKS  
201 4<sup>th</sup> Street SE Room 108  
Rochester, MN 55904-3740  
507-287-7800  
FAX – 507-281-6216

FROM: Mark E. Baker

Charges/fees applicable to the development of this property will be addressed in the Development Agreement and will include (rates below are current through 7/31/03):

- ❖ Water Availability Charge @ \$1790.25 per developable acre
- ❖ Sewer Availability Charge (SAC) @ Rate established for each District serving this Property.
- ❖ Transportation Improvement District Charge (TID) for J9846 @ \$2007.14 per gross acre
- ❖ Storm Water Management – TBD for any areas of this Property that are not served by on-site detention.
- ❖ First Seal Coat Charge @ \$0.49 per square yard of public street surface.
- ❖ Street Signs as determined by the City Engineer

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COUNTY OF

*Olmsted*

PUBLIC WORKS DEPARTMENT  
2122 CAMPUS DR SE - SUITE 200  
ROCHESTER MN 55904-4744  
www.olmstedpublicworks.com  
507.285.8231

February 25, 2003

Jennifer Garness  
Planning Department

Dear Jennifer:

The Public Works Department has reviewed the General Development Plan #205 and has the following comments:

- **Access control shall be shown along 40<sup>th</sup> St SW and 18<sup>th</sup> Ave SW.**
- **Right turn lanes and by-pass lanes will be required at public street entrance from 40<sup>th</sup> St SW and 18<sup>th</sup> Ave SW.**

Sincerely,

Michael Sheehan  
County Engineer

MTS:ss



T:\PWDATA\ENG\INDOC\PLANZONE.DOC

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER



## ROCHESTER PARK AND RECREATION DEPARTMENT

February 20, 2003

TO: Jennifer Garness  
Planning

RE: Hart Farms South General Development Plan # 205

Based on preliminary information supplied by the applicant's consultant, the dedication for the 80 acre development is estimated to be 7.0 acres. Actual calculations to occur as the site plans for the R2 zoned property are submitted. Most of dedication required for this development should be in the form of land.

The general location of the 3.02 acre park is excellent. The size of the park should be increased by 4.0 acres.

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February 20, 2003

Rochester-Olmsted  
CONSOLIDATED PLANNING DEPARTMENT  
2122 Campus Drive SE  
Rochester, MN 55904-7996

REFERENCE: General Development Plan #205 by Arcon Development, Inc. to be known as Hart Farm South.

Dear Ms. Garness:

Our review of the referenced general development plan is complete and our comments follow:

1. Static water pressures within this area will range from the upper 40's to lower 60's PSI depending on final grades.
- ~~2. The water main in the cul-de-sac streets must be looped and water mains must be extended to adjacent properties per our requirements.~~
3. We will work with the applicant's engineering firm to develop the necessary water system layout to serve this area.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson  
Water

C: Doug Rovang, RPU  
Mike Engle, RPU  
Mark Baker, City Public Works  
Vance Swisher, Fire Prevention  
Gale Mount, Building & Safety  
McGhie & Betts, Inc.  
Arcon Development, Inc.



*The hand to reach for...*  
**DAVID A. KAPLER**  
Fire Chief

DATE: February 24, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher  
Fire Protection Specialist

SUBJ: General Development Plan #205  
Hart Farms South

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division  
Arcon Development, Inc. – 7625 Metro Boulevard, #350 – Edina, MN 55439  
McGhie & Betts, Inc. – 1648 3<sup>rd</sup> Avenue SE – Rochester, MN 55904

# Memo

**To:** Jennifer Garness, Planning Department

**From:** Kenneth Heppelmann

**CC:** Arcon Development, Inc.  
McGhie & Betts, Inc.  
Gary Schick, Plumbing Inspector  
Mark Sparks, Electrical Inspector

**Date:** February 24, 2003

**Re:** General Development Plan #205 by Arcon Development, Inc. to be known as Hart Farms South.

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The above referenced development appears to indicate new construction that is regulated under the Building Code and will require building permits. Complete plans and specifications are required to be submitted for a building permits prior to construction.

The proposed construction appears to consist of attached single-family dwellings (townhomes) on separate lots with property lines between the units. Please verify the following items:

- Separate utility services (i.e. sewer, water, gas, electric, etc.) are required to be provided to each dwelling unit. The utilities are not permitted to encroach onto or through the adjacent lots.
- The dwelling units are required to be separated with fire resistive rated wall assemblies in accordance with the 2000 IRC, Section 321.2.
- The fire resistive rating of exterior walls, and projections from such walls, with a fire separation distance of less than three feet is required to comply with IRC Section 302.1.

Please let me know if you have any questions or concerns.

Thank you

# CENTEX HOMES

Minnesota Division

157 -  
12400 Whitewater Drive  
Suite 120  
Minnetonka, MN 55343

Phone: 952-936-7833

Fax: 952-936-7839

March 4, 2003

Rochester Building Safety Department  
2122 Campus Drive SE  
Rochester, MN 55904  
Attn: Kenneth Heppelmann

Re: General Development Plan #205 by Arcon Development, Inc. to be known as Hart Farms South

Dear Mr. Heppelmann:

I would like to clarify the nature of the proposed construction per the above captioned development and your memo dated February 24, 2003.

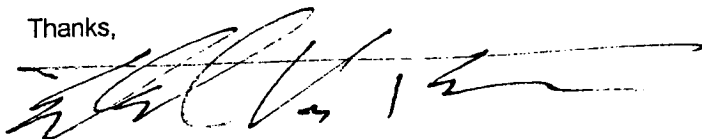
The proposed construction will consist of Residential Group R-2 occupancies. Each R-2 building will consist of 8 -10 dwelling units. Each building will be on a separate lot. The proposed construction will be similar to the buildings currently under construction at the Boulder Ridge development.

Please verify the following items:

- ☐ Separate utilities (i.e. sewer, water, electric) are required to be provided to each building. Separate gas services are required to be provided to each dwelling unit
- ☐ Dwelling units shall be separated with fire-resistance rated construction in accordance with the 2000 IBC, Section 708 Fire Partitions.
- ☐ Exterior walls shall be fire-resistance rated in accordance with the 2000 IBC, Section 704.5.

If you have any questions or require additional information do not hesitate to contact me.

Thanks,



Edward VonThoma  
Product Development Manager

Cc: Jennifer Garness, Planning Department?  
Arcon Development, Inc.  
McGhie & Betts, Inc.  
Gary Schick, Plumbing Inspector  
Mark Sparks, Electrical Inspector

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Minnesota Department of Transportation

Minnesota Department of Transportation - District 6

Mail Stop 060  
2900 48<sup>th</sup> Street N.W.  
Rochester, MN 55901-5848

Office Tel: 507-280-2913

Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

February 24, 2003

Jennifer Garness  
Rochester – Olmsted Planning Department  
2122 Campus Drive SE – Suite 100  
Rochester, MN 55904

**RE: Amendment to General Development Plan #160 known as Stonehedge Estates (formally known as Palteau Estates).**

**Land Subdivision Permit (Preliminary Plat) #03-07 to be known as Stonehedge Estates Second Subdivision by Stonehedge Land Development LLC.**

**General Development Plan #205 by Arcon Development, Inc to be known as Hart Farms South.**

**Zoning District Amendment #03-08 by Arcon Development Inc. to zone approximately 18.62 acres R-2 and 6.73 acres B-5 upon the annexation to the City of Rochester.**

**Annexation Petition #03-07 by Merly Groteboer to annex approximately 59.99 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Ave SW.**

**Amendment to General Development Plan #190 known as Harvestview and Harvestview Special District #02-07.**

**Annexation Petition #03-06 by Charlyne Burks to annex approximately 25.61 acres of land located north of East Circle Drive and east of Northwood hills 2<sup>nd</sup> Subdivision.**

**Zoning District Amendment #03-06 by Dallas Backhaus requesting to amend the zoning district for approximately 20.09 acres from R-1 to R-1X district.**

Dear Ms. Garness:

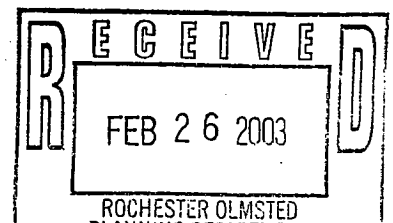
The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals. These proposals will be sizeable traffic generators and Mn/DOT requests the City of Rochester to manage the traffic impacts for both City and State roadways.

Thank you for the opportunity to review these proposals and for keeping Mn/DOT informed. Questions may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dale E. Maul'.

Dale E. Maul  
Planning Director





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MEMORANDUM

TO: City Planning & Zoning Commission

FROM: Charles Reiter  
Senior Transportation Planner

DATE: March 6, 2003

RE: Traffic Impact Review of Hart Farms South General Development Plan

**Summary of Background Information:**

- The proposed GDP contains a mix of land uses including 134 Single Family lots, 18.62 acres proposed for R-2 Low Density residential use, and 6.73 acres proposed for Neighborhood Commercial.
- Estimated traffic generation assuming the low density area is developed at 7.5 units per acre (for a total of 140 units) and the commercial area is developed at a Floor Area Ratio of 0.15 (resulting in approximately 40,000 square feet of floor area) is as follows:

| Use                     | Daily Traffic | Peak Hour Traffic |
|-------------------------|---------------|-------------------|
| Single Family           | 1540 vpd      | 135 vpph          |
| Townhome                | 1050 vpd      | 110 vpph          |
| Neigh Commercial        |               |                   |
| <i>Market / gas</i>     | 1190 vpd      | 110 vpph          |
| <i>Day Care</i>         | 400 vpd       | 75 vpph           |
| <i>Office / Service</i> | 230 vpd       | 40 vpph           |
| <i>Medical Office</i>   | 360 vpd       | 46 vpph           |

\*\*"vpd" stands for vehicles per day; "vpph" stands for vehicles per peak hour

- The main roadways serving this development are non-city streets; 18<sup>th</sup> Ave SW is a County Road (CR 147) and 40<sup>th</sup> St SW is a Rochester Township roadway
- Existing volumes on 40<sup>th</sup> St and 18<sup>th</sup> Ave in the vicinity of the development are very low; on 40<sup>th</sup> St the estimated volume is approximately 1000 vehicles per day and on 18<sup>th</sup> Ave the volume is estimated at 2200 vehicles per day
- Projected 2020 volumes on these two corridors are significantly higher, due primarily to anticipated retail / office development expected to occur along Highway 63 between 40<sup>th</sup> and 48<sup>th</sup> St SW on both side of the highway that will draw traffic on 18<sup>th</sup> Ave and 40<sup>th</sup> St from areas along West Circle Drive . Projected volumes are in the range of 7500-8000 ADT on 18<sup>th</sup> Ave and 6000-7000 on 40<sup>th</sup> St (See Figure 1 on next page)
- Using the peak hour traffic data in the table above peak hour turning movement projections were estimated for each of the access points in the development plan and for the intersection of 18<sup>th</sup> Ave and 40<sup>th</sup> St SW. These are shown in Figure 2. In developing these estimates the layout of adjacent properties (Hart Farm North and Fieldstone) were considered as well due to the interconnected nature of the interior street system which will result in some traffic flowing through adjacent developments to access either 40<sup>th</sup> St or 18<sup>th</sup> Ave. See Figure 3 for a composite GDP of the area

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Hart Farms  
Commercial Area  
Traffic Estimates  
For 2002 &  
Projections for 2025

18<sup>th</sup> Ave SW

2002: 2250 ADT (*est*)  
2025: 7500-8000 ADT

2002 : 1000 ADT (*est*)  
2025: 6000 -7000 ADT

40<sup>th</sup> St

2002: 2500 ADT (*est*)  
2025: 12000-13000 ADT

Figure 1

North ^

# *Hart Farm South Development Area PM Peak Hour Traffic*

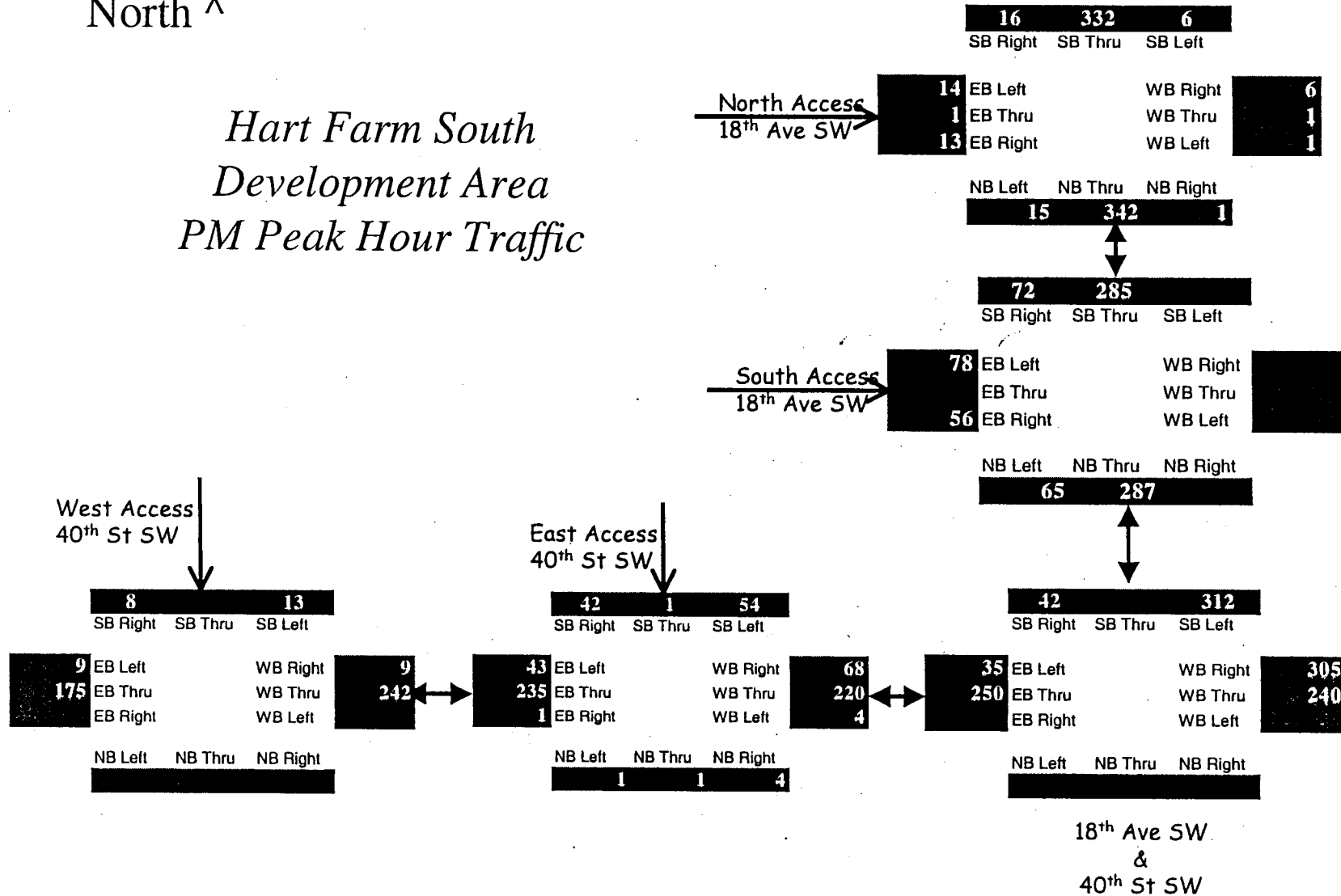


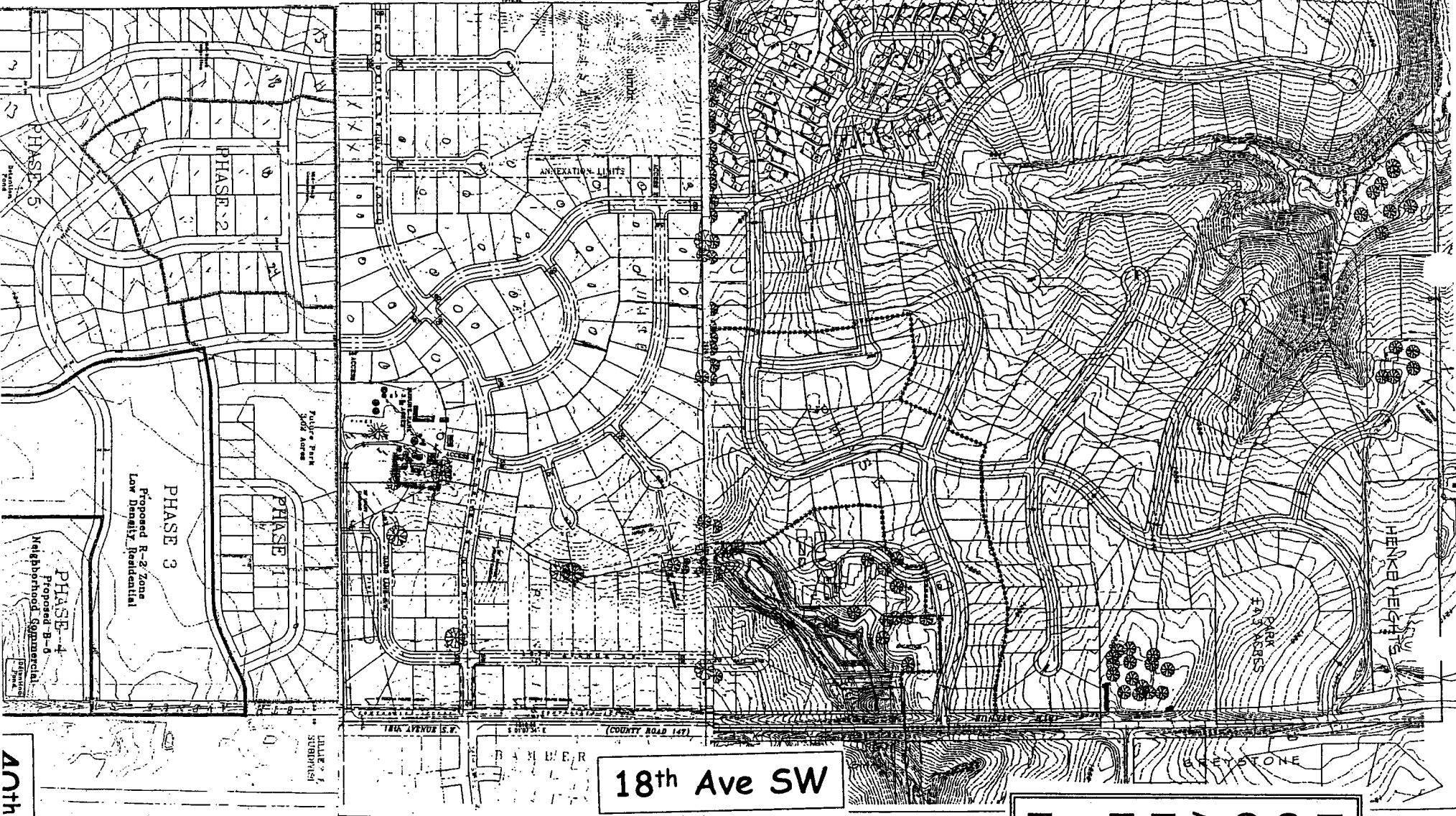
Figure 2

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Hart Farms  
South

Hart Farms  
North

Fieldstone



18th Ave SW

Figure 3  
Composite  
Of  
Area  
Development  
Plans  
North ^

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### Review of the Key Traffic Issues

- One issue is identifying the preferred design for each of the access points that intersect either 18<sup>th</sup> Ave or 40<sup>th</sup> St. Particular questions to resolve are whether right or left turn lanes are needed at these intersections based on the projected traffic volumes.

To evaluate this question the Level of Service of each intersection was analyzed as well as comparative volumes of conflicting traffic flows to determine if turn lanes are needed. Based on this analysis the following results were identified:

1. The southerly access of the development with 18<sup>th</sup> Ave should have provisions for both a southbound right turn lane and a northbound left turn lane. Because of the proximity of this access point to the intersection of 18<sup>th</sup> Ave and 40<sup>th</sup> St construction of a northbound left turn lane will likely necessitate construction of a 3<sup>rd</sup> lane from 40<sup>th</sup> St to the access point to provide the left turn lane
2. At the easterly access on 40<sup>th</sup> St a provisions for a westbound right turn lane and an eastbound left turn lane should be planned. As part of the work proposed with the TH 63 South improvements 40<sup>th</sup> St SW is planned for upgrading to 4 lanes from TH 63 to 18<sup>th</sup> Ave, tapering back to 2 lanes west of 18<sup>th</sup> Ave (See Figure 4). The taper section on the north side of the roadway should be extended to this access point to function as the right turn lane.
3. At the westerly access on 40<sup>th</sup> St a right turn lane and a bypass lane should be considered based on projected volumes and speed of travel.

The analysis of the intersection of 40<sup>th</sup> St and 18<sup>th</sup> Ave SW suggests that this intersection can function under projected traffic volumes at an adequate Level of Service as an All-Way Stop Control with no additional improvements beyond those proposed as part of the Highway 63 / 40<sup>th</sup> St project.

- The traffic impact to 40<sup>th</sup> St SW, which is a township road, is estimated as follows:
  - Between 18<sup>th</sup> Ave and the first access to the development west of 18<sup>th</sup> Ave: At full development an additional 1440 vpd would be added
  - West of the westerly access point to the development: At full development an additional 1020 vpd would be added

This street is designated as a collector street on the Thoroughfare Plan but is built to local rural road standards (24' roadway driving surface with narrow shoulders). Eventually this roadway will need to be upgraded as traffic volumes grow as the result of future urban development. It would be my expectation that this would be a city-initiated project once more of the properties along 40<sup>th</sup> St are annexed and developed. The developer of Hart Farms South will be required to provide a Substandard Street Fee contribution as well as adequate right of way for a future rural collector.

A short-term issue for the city and township to look at will be maintenance needs on the 40<sup>th</sup> St corridor and possible cost sharing on the effort. Full development of the Hart Farms properties and Fieldstone is projected to double the traffic on 40<sup>th</sup> St. The first section of 40<sup>th</sup> St immediately west of 18<sup>th</sup> Ave will be reconstructed as part of the proposed TH 63 improvement project, but west of the first access no changes of the road are currently planned

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- The ROCOG Long Range Bicycle Plan identifies both 18<sup>th</sup> Ave and 40<sup>th</sup> St as locations for future bicycle trails. Accommodations for these facilities should be provided for in the final development plan
  - Aside from the proposed street intersections, no additional access will be permitted to either 18<sup>th</sup> Ave or 40<sup>th</sup> St SW. At the time of platting access control will need to be established along all property frontages on both 18<sup>th</sup> Ave and 40<sup>th</sup> St

### Summary

- The developer will need to work with the County and City Public Works Department to identify final design improvements at the access points along 18<sup>th</sup> Ave and 40<sup>th</sup> St as discussed as this project proceeds into the platting stage.
- Provisions for future bicycle facilities should be made along both 18<sup>th</sup> Ave and 40<sup>th</sup> St
- Access control shall be established at the time of platting along 18<sup>th</sup> Ave and 40<sup>th</sup> St frontages.



**Ms. Petersson moved to recommend approval of Annexation Petition #03-06 by Charlyne Burke as recommended by staff. Mr. Haeussinger seconded the motion.**

Mr. Staver discussed whether or not annexations shouldn't receive more scrutiny from the Planning Commission. He discussed whether or not they should be approved if police and fire cannot serve the areas in question.

**The motion carried 7-1, with Mr. Staver voting nay.**

Annexation Petition #03-07 by Merl Groteboer to annex approximately 59.99 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Avenue SW. The property is located in a part of the South ½ of the SW ¼ of Section 22 of Rochester Township.

Mr. Staver stated that he would not vote in favor of the annexation, since he believes they need to support efforts to manage growth. He indicated that he was not discussing a moratorium.

Ms. Wiesner asked if the process of annexation or general development plan concerned Mr. Staver.

Mr. Staver responded that the annexation was the first step in terms of infrastructure.

Mr. Haeussinger stated that the capacity of fire protection and police staffing needed to be taken into consideration with regard to growth as well as city services.

**Mr. Haeussinger moved to recommend approval of Annexation Petition #03-07 by Merl Groteboer as recommended by staff. Mr. Quinn seconded the motion. The motion carried 7-1, with Mr. Staver voting nay.**

#### PUBLIC HEARINGS:

Zoning District Amendment #03-08 by Arcon Development Inc. to zone approximately 18.62 acres R-2 (Low Density Residential) and 6.73 acres B-5 (Residential Commercial) upon annexation to the City of Rochester. An Annexation petition and General Development Plan are being considered concurrent with this petition.

#### **AND**

General Development Plan #205 by Arcon Development, Inc. to be known as Hart Farms South. The Applicant is proposing to develop approximately 80 acres of land located along the north side of 40<sup>th</sup> Street SW and along the west side of 18<sup>th</sup> Avenue SW with single family homes, townhomes and neighborhood commercial uses. The property is proposed to be served by public roads. An Annexation petition for the entire property, and a Zoning District Amendment for a portion of this property are being considered concurrent with this petition.

Ms. Mitzi A. Baker presented the staff reports, dated March 6, 2003 and March 7, 2003, to the Commission. The staff reports are on file at the Rochester-Olmsted Planning Department.



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Ms. Baker stated that she received a fax from McGhie & Betts responding to staff's analysis with regard to parkland in the staff report. She indicated that the consultant met with the Park and Recreation Department and eliminated some single-family lots on the plan to provide additional parkland. She showed where this would be located on the map.

Ms. Baker explained that the Commission could strike condition 1d listed in the general development plan staff report.

The applicant's representative, Mr. Larry Frank of Arcon Development (653 Brockton Curve, Eagan MN), addressed the Commission. He stated that Kristi Clarke planned to make a presentation, but they did not know that they would be moved to the front of the agenda and she was not at the meeting yet. He stated that he met with Denny Stotz on Tuesday and worked out an agreement to remove lots to make a larger park. He explained that the park would connect to the park in Hart Farms (north of the proposed general development plan). He explained that they made a slight revision to the easterly road that comes out onto 40<sup>th</sup> Street SW to have it line up with Windsor Lane. He stated that they plan to provide a variety of housing types. He stated that development would not occur on the property for at least one year. Also, he agreed with the staff-recommended conditions.

Mr. Haeussinger asked what types of uses could be located in the B-5 zoning district.

Mr. Frank responded that they planned to locate a daycare and small office use in the B-5 zoning district.

Mr. Quinn stated that there were questions asked with regard to upgrading 18<sup>th</sup> Avenue SW and 40<sup>th</sup> Street SW at the neighborhood meeting.

Mr. Frank stated that 40<sup>th</sup> Street SW is planned to be upgraded. However, he was unsure about 18<sup>th</sup> Avenue SW.

Mr. Haeussinger stated that he spoke with Mike Sheehan regarding 18<sup>th</sup> Avenue SW. He explained what changes were planned.

Ms. Baker explained what uses were allowed in the B-5 zoning district.

With no one else wishing to be heard, Ms. Wiesner closed the public hearings.

**Mr. Burke moved to recommend approval of Zoning District Amendment #03-08 by Arcon Development Inc. with the staff-recommended findings. Mr. Quinn seconded the motion. The motion carried 8-0.**

**Mr. Burke moved to recommend approval of General Development Plan #205 by Arcon Development, Inc. to be known as Hart Farms South with the staff-recommended findings and conditions (striking condition 1d as indicated by Ms. Baker). Mr. Quinn seconded the motion. The motion carried 8-0.**

**CONDITIONS:**

- 1. The GDP shall be revised, prior to the Council meeting to include:**

- a) Dedication of a 60' ROW along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.
  - b) Dedication of the 60' ROW shall include sufficient area to construct the required pedestrian facilities within the right-of-way. Identify and label the required 10' wide pedestrian facilities within the right-of-way along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.
  - c) The proposed public street intersection with 40<sup>th</sup> Street SW, at the westerly edge of proposed Phase 3, shall be revised to align across from Windsor Hills Lane SW.
2. The property shall be platted. At the time of platting, the following shall be included:
- a) Dedication of controlled access along the westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW, with the exception of the public roadway locations approved through the GDP process.
  - b) Pedestrian facilities are required, at the Owner's expense, along both sides of all new public roads within this development. In addition, the Owner is obligated to provide a 10' foot bituminous pedestrian path along the entire westerly frontage of 18<sup>th</sup> Avenue SW and northerly frontage of 40<sup>th</sup> Street SW.
  - c) It appears that several of the blocks located within Phase 2 may exceed 800' in length, thereby requiring additional mid-block connections. Staff will address the need for additional mid-block pedestrian connections. The Owner shall be required to dedicate any mid-block pedestrian connections on separate Outlots and construct the required pedestrian path connections with the Outlots.
  - d) Grading and Drainage Plan approval is required prior to development. The GDP narrative and GDP plan indicate that on-site detention facilities shall be constructed to serve the development. These private detention facilities shall be platted as Outlots and the execution of an Ownership & Maintenance Agreement shall be required. The future property line grading abutting 40<sup>th</sup> Street SW and street elevations intersecting 40<sup>th</sup> Street SW must match the future 40<sup>th</sup> Street SW profile, as determined by the Rochester Public Utilities – Water Division.
  - e) The Developer will need to work with the County and City Public Works Department to identify final design improvements, as discussed in the Traffic Impact Review Memorandum from Charles Reiter, Senior Transportation Planner, dated March 6, 2003.
3. Prior to Final Plat submittal, and/or development of this Property, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, stormwater management, transportation improvements including right & left turn lanes, the proposed street intersection with 40<sup>th</sup> Street SW, access control, pedestrian facilities, right-of-way dedication, contributions for public infrastructure, extension of public utilities abutting properties, and stipulation for phasing of development subject to the availability of adequate public facilities.

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4. Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated February 20, 2003.

Zoning District Amendment #03-05 by the Minnesota Department of Transportation to amend the Floodway and Flood Fringe boundaries and related 100 Year Flood Protection Elevations for a portion of Willow Creek starting at approximately 1650' north of and downstream of the flood control structure WR-6A to a point approximately 1700' feet east of and downstream of the TH 63 right of way.

Mr. John Harford presented the staff report, dated February 25, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Mr. Harford showed the FEMA flood panel of the area and described the proposed changes.

Ms. Wiesner stated that, on other side of the bridge at 40<sup>th</sup> St., SW, there is a regional storm water area. She asked if the area had been purchased.

Mr. Harford responded that he did not think it had been.

Mr. Harford stated that Mr. Tom Hexum gave him a general development plan for Maine Street showing a city pond.

Discussion ensued regarding which properties MnDOT had control of.

Ms. Wiesner expressed concern with MnDOT not having ownership of property that they are approving changes on. She stated that she was opposed to specifying what certain areas would be used for.

Mr. Harford stated that the CLOMR would be preliminary approval. The zoning map would not be amended to reflect the new boundaries right away or permits issued until approved by the City and FEMA. He explained that the City Council would see any changes in design occurring within the corridor.

Ms. Wiesner asked if the Commission would see the plans after this meeting.

Mr. Harford responded no.

Mr. Haessinger asked if the culverts going under the present 63 interchange would be changed.

Mr. Harford responded yes.

Mr. Bill Lesmeister of, 1615 4<sup>th</sup> Avenue SW, Rochester MN, addressed the Commission. He stated that he served on the Transportation Chamber of Commerce. He stated that the Prow property is currently in litigation. He stated that it would hold up the 40<sup>th</sup> Street overpass. He questioned where the water flow would go.

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